

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JANE DOE,

Plaintiff,

v.

Case No. 18-CV-1067

LAWRENCE UNIVERSITY,

Defendant.

**DEFENDANT’S NOTICE OF MOTION AND MOTION FOR SANCTIONS
FOR SPOILIATION OF EVIDENCE AND *EX PARTE* COMMUNICATIONS**

PLEASE TAKE NOTICE that Defendant Lawrence University, by its attorneys, Michael Best & Friedrich LLP, moves the Court pursuant to Fed. R. Civ. P. 37, Local Rule 83(d), SCR 20:4.2 and this Court’s inherent power over discovery violations, for an order imposing sanctions and granting relief against Plaintiff, Jane Doe, and her counsel as the result of spoliation of evidence that is material to the case and *ex parte* communications with represented employees of Lawrence. Oral argument, if deemed appropriate, may be scheduled at the Court’s discretion.

Defendant’s Motion is supported by the accompanying Memorandum in Support of its Motion for Sanctions for Spoliation of Evidence and *Ex Parte* Communications, the Declaration of Eric Rumbaugh, Esq., the Declaration of Kimberly Jones and the exhibits submitted with the foregoing Declarations. The Motion will also be supported by such other and further materials and arguments submitted in reply and at any hearing on this Motion.

Respectfully submitted this 6th day of June, 2019.

MICHAEL BEST & FRIEDRICH LLP

By: s/Michelle L. Dama

Michelle L. Dama, SBN 1041809
One S. Pinckney Street, Ste. 700
Madison, WI 53703
Telephone: (608) 257-3501
Facsimile: (608) 283-2275
mldama@michaelbest.com

Eric H. Rumbaugh, SBN 1015164
100 East Wisconsin Avenue, Suite 3300
Milwaukee, WI 53202-4108
Telephone: (414) 271-6560
Facsimile: (414) 277-0656
E-mail: ehrumbaugh@michaelbest.com

Attorneys for Defendant, Lawrence University